

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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MICHELLE LUNDY

Plaintiff,

Case No.: 16-CV-470

v.

WESTWOOD HEIGHTS APARTMENTS,  
JACK SHEEHAN and ST. CLARE MANAGEMENT,

Defendants.

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**ANSWER AND AFFIRMATIVE DEFENSES TO COMPLAINT**

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The defendant, St. Clare Management, Inc., by its attorneys, Kasdorf, Lewis & Swietlik, S.C., answers the complaint and pleads as follows:

**A. PARTIES**

1. This defendant lacks knowledge and information regarding the truth or falsity of the plaintiff's citizenship or residence, and therefore, denies the same.
2. This defendant denies that it is located at 3069 N. 59th Street. This defendant denies that it is an employee of Westwood Height Inc. and/or Jack Sheehan.

**B. STATEMENT OF CLAIM**

This defendant denies that it acted in a manner that was discriminatory against the plaintiff or that the plaintiff received any disparate treatment from this defendant. The plaintiff claims that on June 7, 2014, she and her family received disparate treatment because she received a letter requesting that she report her income and her son's income in order to recertify her for the low income housing rates. The plaintiff asserts that she was unaware that she was required to report her son's income. This defendant admits that it sent the plaintiff said letter. This defendant

affirmatively asserts that under Federal law, the plaintiff is required to report her son's income because at the time he was 18 years old. The plaintiff alleges that she does not work but receives a monthly check for child support. This defendant generally admits that the plaintiff did report these circumstances. The plaintiff asserts that there are other tenants residing in Westwood Heights Apartments that are not required to follow the same HUD requirements relating to reporting household income. The defendants affirmatively assert that not all tenants in the Westwood Heights Apartments are low income tenants, which means that not all tenants are required to report their household incomes to comply with HUD requirements. This defendant lacks knowledge and information regarding the two tenants the plaintiff claims do not pay required rent.

The plaintiff's statements regarding the shower head repair and the instruction not to hang pictures on the wall are not directed at this defendant, and accordingly, this defendant denies any liability for these allegations. This defendant affirmatively asserts that it does not own Westwood Heights Apartments, nor does it provide maintenance or property management services of any kind. This defendant, St. Clare Management, Inc., is involved in the recertification of low income housing tenants for Westwood Heights and has no knowledge regarding the maintenance of the plaintiff's apartment unit.

This defendant admits that the plaintiffs filed a complaint with U.S. Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity for discrimination. This defendant admits that the plaintiff was evicted from the property on February 18, 2016. However, the defendant denies that the plaintiff was wrongfully evicted. This defendant further denies that the plaintiff was evicted because she filed a complaint with HUD and FHEO. The Office of Fair

Housing and Equal Opportunity found No Reasonable Cause for Discrimination regarding the calculation of the plaintiff's monthly payments.

**AFFIRMATIVE DEFENSES**

1. The complaint fails to state a claim upon which relief can be granted.
2. The plaintiff lacks standing to bring this action.
3. The defendant is an improper party to this action.
4. The defendant at all times acted in full compliance with HUD regulations and any other applicable federal laws.
4. The defendant at all times acted in good faith.

WHEREFORE, the defendant, St. Clare Management, Inc., demands judgment dismissing the complaint of the plaintiff and awarding to this defendant its costs and disbursements in the defense of this action, together with any other relief that the court shall deem proper.

Dated at Milwaukee, Wisconsin, this 1st day of July, 2016.

KASDORF, LEWIS & SWIETLIK, S.C.

/s/ Thomas A. Cabush

Thomas A. Cabush, SBN: 1019433

Casey M. Kaiser, SBN: 1088881

Breanne F. Lynch, SBN: 1098926

Attorneys for Defendant, St. Clare Management, Inc.

One Park Plaza, Suite 500

11270 West Park Place

Milwaukee, WI 53224

Phone: (414) 577-4000

Fax: (414) 577-4400

Email: [tcabush@kasdorf.com](mailto:tcabush@kasdorf.com)